

March 23, 2004

The Honorable L. Alma Mansell  
President of the Senate  
and  
The Honorable Martin R. Stephens  
Speaker of the House

Dear President Mansell and Speaker Stephens:

This is to inform you that on March 23, 2004, I vetoed line item 65 of appropriation in H.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, and have transmitted the bill to the Lieutenant Governor for filing.

Item 65 includes the intent language that “recommends the USOE to contract a review body that has satisfied the Interim Education Committee's RFP process.” I am troubled by the legislature issuing an RFP and selecting a vendor in behalf of a state agency.

The founders of our nation rightly recognized the potential for one branch to seek to increase its authority at the expense of another. Human nature being what it is, the founders provided us with checks and balances. The success of our democracy depends on continuous, unbending allegiance to separation of powers and checks and balances. Because this line item in H.B. 1 takes a small step in the wrong direction, I feel compelled to veto.

I find it unfortunate that the appropriation to the Jean Massieu Charter school is a part of this line item. I hope that the Utah State Office of Education can find non-lapsing funds to assist this school in meeting its needs. However, I feel the separation of powers issue outweighs the appropriation of this money.

I am very supportive of competency-based education and pledge to continue efforts to make it a reality. However, the implementation of competency-based education is a responsibility of the executive branch within the policy guidelines established by the legislature.

Sincerely,

Olene S. Walker  
Governor